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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,360

02/11/2004

Eun-Jung Kim

678-1347

3202

66547

7590

12/10/2008

THE FARRELL LAW FIRM, P.C.

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EXAMINER

HASHEM, LISA

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

12/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/776,360

Applicant(s)

KIM ET AL.

Examiner

LISA HASHEM

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1,3,4,6.1,7.1,8.1,9.1,10.1,11.1,12,15-17,20,22,24-26,28,30-33,35,38,39,42,43,45,46,49 and 50.

Continuation of Disposition of Claims: Claims rejected are 1,3,4,6.1,7.1,8.1,9.1,10.1,11.1,12,15-17,20,22,24-26,28,30-33,35,38,39,42,43,45,46,49 and 50.

FINAL DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3, 4, 6, 10-12, 15-17, 20, 22, 24-26, 28, 30-33, 35, 38, 39, 42, 43, 45, 46, 49, and 50 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 4, 6, 10-12, 15-17, 20, 22, 24-26, 28, 30-33, 35, 38, 39, 42, 43, 45, 46, 49, and 50 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Pat. Appl. Publ. No. 2003/0119452 by 2003/0119452 by Kim et al, hereinafter Kim, in view of U.S. Pat. No. 7,031,708 by Sarkkinen et al, hereinafter Sarkkinen.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the

application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Regarding claim 1, Kim discloses a method for providing MBMS (Multimedia Broadcast/Multicast Service) services (section 0005) to the User Equipments (UEs) (Fig. 3, UE), in a mobile communication system including a Node B (Fig. 3: 310, 320), a plurality of the UEs capable of communicating with the Node B in a cell (Fig. 3: Cell 1, Cell 2) occupied by the Node B, and a radio network controller (RNC) (Fig. 3, 307) for controlling communication of the Node B, a serving GPRS (General Packet Radio Service) support node (SGSN) (Fig. 3, 305) for managing the RNC, and the UEs to provide a packet switched (PS) service and a circuit switched (CS) service to the UEs (section 0005-0006; 0072), the method comprising the steps of: transmitting MBMS service-related information of a UE that is in a Radio Resource Control (RRC) connected mode (Fig. 7) after joining at least one MBMS service (Fig. 6, 602), from the UE to the RNC (section 0087; 0091-0094); and receiving MBMS service by the UE according to the MBMS service related information to enable the UE to inform the RNC that the user has joined at least one MBMS service (Fig. 8; section 0095-0096).

Kim discloses a RRC connected mode. However, Kim does not disclose a PMM-Idle state.

Sarkkinen discloses a method for providing MBMS (Multimedia Broadcast/Multicast Service) services to User Equipments (UEs) (Fig. 1, 14) (col. 1, lines 15-23 and lines 47-61), in a

mobile communication system (Fig. 1, 12) (col. 3, lines 58-65; col. 4, lines 51-53) including a Node B (Fig. 1, 16), a plurality of the UEs capable of communicating with the Node B in a cell occupied by the Node B, and a radio network controller (RNC) (Fig. 1, 12) for controlling communication of the Node B (col. 1, lines 18-23), a serving GPRS (General Packet Radio Service) support node (SGSN) (Fig. 1, 20) for managing the RNC, the method comprising the steps of:

transmitting MBMS service-related information (Fig. 1, 28) of a UE that is in a Radio Resource Control (RRC) connected mode (Fig. 1, 26) and a Packet Mobility Management-Idle (PMM-Idle) state (Fig. 1, 21; col. 2, lines 28-33) after joining at least one MBMS service, from the UE to the RNC (col. 2, line 53 – col. 3, line 3).

Again, Kim discloses the claimed method except Kim transmits MBMS service-related in a RRC connected mode rather than transmitting MBMS service-related information of a UE that is in a RRC connected mode and PMM-Idle state.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Kim to include transmitting MBMS service-related information of a UE that is in a PMM-Idle state as taught by Sarkkinen. One of ordinary skill in the art would have been lead to make such a modification of Kim to manage information on a UE that joined an MBMS service but is in a PMM-Idle state, such as the PMM-Idle state of Sarkkinen, to the UE in a RRC connected mode of Kim so the UE can utilize MBMS services in which there is no packet switching signaling.

Regarding claim 3, please see Kim (section 0087; 0091).

Regarding claim 4, please see Kim (section 0091; i.e. Service ID reads on claimed 'service activation indicator').

Regarding claim 6, please see Kim (section 0078; 0083; 0098-0102).

Regarding claim 10, please see Kim (section 0091; i.e. Service ID reads on claimed 'service identity (ID)').

Regarding claim 11, please see Kim (section 0087-0089; 0095-0096).

Regarding claim 12, please see Kim (section 0087-0089; 0095-0096).

Regarding claim 15, please see Kim (section 0091; i.e. Service ID reads on claimed 'service identity (ID)').

Regarding claim 16, please see Kim (section 0087-0089; 0095-0096).

Regarding claim 17, please see Kim (section 0087-0089; 0095-0096).

Regarding claim 20, Kim discloses a method for providing MBMS (Multimedia Broadcast/Multicast Service) services (section 0005) in a mobile communication system, the method comprising the steps of: receiving, by a Radio Network Controller (RNC) (Fig. 3, 307), an MBMS joined indication that a User Equipment (UE) in a Radio Resource Control (RRC) connected mode has joined at least one MBMS service, from the UE (Fig. 6, 620; Fig. 7; Fig. 8; section 0087; 0091-0094); transmitting, by the RNC, an MBMS service Identity (ID) request message containing an (ID) of the UE to a serving GPRS (General Packet Radio Service) support node (SGSN) (Fig. 3, 305) managing the RNC (section 0087-0089; 0096); receiving, by the RNC, an MBMS service ID response message containing at least one service ID indicating at least one MBMS service that the UE has joined, from the SGSN (section 0087-0089; 0096); and

providing MBMS service from the RNC to the UE according to the MBMS service ID response message (section 0088-0089; 0095-0096).

Kim discloses a RRC connected mode. However, Kim does not disclose a PMM-Idle state.

Sarkkinen discloses a method for providing a MBMS (Multimedia Broadcast/Multicast Service) services (col. 3, lines 58-65; col. 4, lines 51-53) in a mobile communication system (Fig. 1, 12) , the method comprising the steps of:

receiving, by a Radio Network Controller (RNC) (Fig. 1, 12), an MBMS joined indication (Fig. 1, 28) that a PMM Idle state (Fig. 1, 21; col. 2, lines 28-33) User Equipment (UE) (Fig. 1, 14) (col. 1, lines 15-23 and lines 47-61) in a Radio Resource Control (RRC) connected mode (Fig. 1, 26) has joined at least one MBMS service, from the UE (col. 2, line 53 – col. 3, line 3).

Again, Kim discloses the claimed method except Kim transmits an MBMS joined indication in a RRC connected mode rather than in a RRC connected mode and PMM-Idle state.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Kim to include transmitting MBMS joined indication a UE that is in a PMM-Idle state as taught by Sarkkinen. One of ordinary skill in the art would have been lead to make such a modification of Kim to manage information on a UE that joined an MBMS service but is in a PMM-Idle state, such as the PMM-Idle state of Sarkkinen, to the UE in a RRC connected mode of Kim so the UE can utilize MBMS services in which there is no packet switching signaling.

Regarding claim 22, please see Kim (section 0087-0089; 0095-0096).

Regarding claim 24, please see Kim (section 0087-0089; 0091-0096).

Regarding claim 25, please see Kim (section 0087-0089; 0096).

Regarding claim 26, please see Kim (section 0087-0089; 0096).

Regarding claim 28, please see Kim (section 0095-0096).

Regarding claim 30, Kim discloses a method for providing MBMS (Multimedia Broadcast/Multicast Service) services (section 0005) to the User Equipments (UEs) (Fig. 3, UE), in a system including a Node B (Fig. 3: 310, 320), a plurality of the UEs capable of communicating with the Node B in a cell (Fig. 3: Cell 1, Cell 2) occupied by the Node B, a radio network controller (RNC) (Fig. 3, 307) for controlling communication of the Node B and the UEs to provide a packet switched (PS) service and a circuit switched (CS) service to the UEs (section 0005-0006; 0072), and a serving GPRS (General Packet Radio Service) support node (SGSN) (Fig. 3, 305) for managing the RNC, the method comprising the steps of: transmitting MBMS service-related information of a UE that is in a Radio Resource Control (RRC) connected mode (Fig. 7) after joining at least one MBMS service (Fig. 6, 602), from the UE to the SGSN (section 0087; 0091-0094); and linking the MBMS service-related information with information about the UE (section 0087-0089; 0095-0096); storing the MBMS service-related information link to the information about the RE in a first service context for the at least one MBMS service in the SGSN (section 0095-0096).

Kim discloses providing MBMS services to UEs. However, Kim does not disclose transmitting MBMS service-related information of a UE that is in a PMM-Idle mode.

Sarkkinen discloses a method for providing MBMS (Multimedia Broadcast/Multicast Service) services to User Equipments (UEs) (Fig. 1, 14) (col. 1, lines 15-23 and lines 47-61), in a system (Fig. 1, 12) (col. 3, lines 58-65; col. 4, lines 51-53) including a Node B (Fig. 1, 16), a

plurality of the UEs capable of communicating with the Node B in a cell occupied by the Node B, a radio network controller (RNC) (Fig. 1, 12) for controlling communication of the Node B (col. 1, lines 18-23) and the UEs, and a serving GPRS (General Packet Radio Service) support node (SGSN) (Fig. 1, 20) for managing the RNC, the method comprising the steps of: transmitting MBMS service-related information (Fig. 1, 28) of a UE that is in a Packet Mobility Management-Idle (PMM-Idle) mode (Fig. 1, 21; col. 2, lines 28-33) after joining at least one MBMS service, from the UE to the SGSN (col. 2, line 53 – col. 3, line 3).

Again, Kim discloses the claimed method except Kim transmits MBMS service-related in a RRC connected mode rather than transmitting MBMS service-related information of a UE that is in a PMM-Idle mode.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Kim to include transmitting MBMS service-related information of a UE that is in a PMM-Idle mode as taught by Sarkkinen. One of ordinary skill in the art would have been lead to make such a modification of Kim to manage information on a UE that joined an MBMS service but is in a PMM-Idle mode, such as the PMM-Idle mode of Sarkkinen, to the UE of Kim so the UE can utilize MBMS services in which there is no packet switching signaling.

Regarding claim 31, please see Kim (section 0095-0096; Fig. 8).

Regarding claim 32, please see Kim (section 0095-0096; Fig. 8).

Regarding claim 33, please see Kim (section 0095-0096; Fig. 8).

Regarding claim 35, please see Kim (section 0087-0089; 0091-0094).

Regarding claim 38, please see Kim (section 0087-0089; 0091-0094; 0095-0096).

Regarding claim 39, please see Kim (section 0088-0089; 0095-0096).

Regarding claim 42, please see Kim (section 0087-0089; 0091-0094).

Regarding claim 43, please see Kim (section 0088-0089; 0095-0096).

Regarding claim 45, please see Kim (section 0087-0089; 0091-0096).

Regarding claim 46, please see Kim (section 0088-0089; 0096).

Regarding claim 49, please see Kim (section 0088-0089; 0095-0096).

Regarding claim 50, please see Kim (section 0095-0096).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

6. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LISA HASHEM whose telephone number is (571)272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2614

/Lisa Hashem/

Examiner, Art Unit 2614

/Fan Tsang/

Supervisory Patent Examiner, Art Unit 2614

December 11, 2008